REMARKS

Claims 1-7, 9, 11-12, 16-26, 28, 30-31, 35-40, 42, 44, 46-47, 51-61, 63, 65-66, 70-80, 82, 84-85 and 89-97 are pending after amendment, with claims 1, 20, 39, 55 and 74 being independent. Claims 1, 8-9, 20, 27-28, 39, 43-44, 55, 62-63, 74 and 81-82 have been amended. Claims 8, 10, 13-14, 27, 29, 32-33, 41, 43, 45, 48-49, 62, 64, 67-68, 81, 83 and 86-87 have been cancelled. Claims 15, 34, 50, 69, 88 were previously cancelled. New claims 94-97 have been added.

In light of the foregoing amendment and following remarks, reconsideration and allowance of all pending claims are respectfully requested.

Rejection Under 35 U.S.C. § 102

Claim 39 stands rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by US Patent No. 6,781,474 to Douziech et al. ("Douziech"). While not agreeing with the rejections, claim 39 has been amended to obviate the rejection.

Claim 39 has been amended to recite "a method for calibrating a filter circuit, which includes capacitive components." (Emphasis added). The claimed method includes "generating a digital component code corresponding to switches associated with the capacitive components in the filter circuit based on the comparator output; and adjusting a combined value of the multiple components in the filter circuit by selectively turning on or off one or more of the switches associated with the capacitive components to control a number of the capacitive

components active in the filter circuit based on the digital component code to calibrate the filter circuit to the desired frequency." (Emphasis added).

In contrast to claim 39, Douziech describes a circuit and method for tuning a filter by using a tuning control signal 27. (See Douziech at Abstract; col. 2, lines 21-26, 33-35; Fig. 1). In Douziech, the tuning control signal 27 is generated by a summing terminal 24 that sums three signals: a correction signal 26 output from a comparator 16; a modulation signal 25 from switches 15 and 14; and an approximate filter tuning signal 19 generated by a filter tuning signal generator 20. The filter receives the summed tuning control signal 27 to adjust the output signal of the filter. (See *id.* at col. 2, lines 35-38; col. 3, lines 16-27).

Each of the signals summed by the summing terminal 24 is an analog signal output from the corresponding analog components: the comparator 16, the switches 15 and 14, and filter tuning signal generator 20. Thus, the generated tuning control signal 27 is an analog signal. In fact, FIG. 3 of Douziech illustrates the analog tuning control signal 27 as a filter tuning voltage that varies with different stored values (S1 and S2) of the filter amplitude. Because the circuit in Douziech uses the summing terminal 24 to generate the analog tuning control signal 27, the circuit in Douziech does not generate the claimed digital component code.

While Douziech mentions "[a]nother embodiment [that] includes using digital techniques and/or software associated with suitable interfaces such as analogue-to-digital and digital-to-analogue converters," Douziech is silent as to how the digital techniques may be used. Further, even if digital techniques can be used, Douziech still does not describe or suggest any of the claimed limitations required of the claimed digital component code.

For example, in Douziech, the analog tuning control signal 27 is an analog voltage that changes to increase the center frequency of filter 11 to be closer to the frequency of the RF input signal 10. (See id. at col. 3, lines 64-66). However, Douziech is silent as to how the analog voltage increases the center frequency of the filter. Further, Douziech does not describe that the analog voltage is in any way associated with any component of the filter 11. Thus, generating the analog tuning control signal 27 in Douziech cannot reasonably be construed as the claimed "generating a digital component code corresponding to switches associated with the capacitive components in the filter circuit based on the comparator output."

Because the analog tuning control signal 27 in Douziech is not associated with any component of the filter 11, the circuit in Douziech also fails to teach or suggest the claimed "adjusting a combined value of the multiple components in the filter circuit by selectively turning on or off one or more of the switches associated with the capacitive components to control a number of the capacitive components active in the filter circuit based on the digital component code to calibrate the filter circuit to the desired frequency." In the claimed method, the digital code is generated for the specific purpose of controlling the number of active components. For example, FIGS 1A, 1B and 1C shows switches 160(1)...(n) that activate components, such as the capacitive components 110(1)...(n). By turning on/off the switches 160(1)...(n), the digital component code is used to control the number of active capacitive components to affect the total capacitance of the filter. Douziech is silent as to any such features, as covered by the present claims. Thus, the analog tuning control signal 27 in Douziech is not used in the same manner as the claimed digital code, and Douziech does not anticipate the claimed subject matter.

For at least these reasons, claim 39 is patentable over Douziech.

Rejections Under 35 U.S.C. § 103(a) Based on Kluge and Gabara

Claims 1, 20 and 39 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent No. 7,184,729 to Kluge ("Kluge") in view of U.S. Patent No. 6,307,442 to Gabara ("Gabara"). While not agreeing with the rejections, the claims have been amended to obviate the rejections.

Claim 1 has been amended to recite "[a] filter calibration circuit, comprising: a comparator operable to generate a comparator output based on a filter output amplitude signal and a reference amplitude signal, the filter output amplitude signal corresponding to an amplitude of an output signal produced by a filter circuit, which includes capacitive components that is to be calibrated to a desired frequency; and a calibration logic unit, separate from the comparator, operable to receive the comparator output and produce a digital component code corresponding to switches associated with the capacitive components in the filter circuit to be used by the filter circuit in adjusting a combined value of the capacitive components in the filter circuit by selectively turning on or off one or more of the switches associated with the capacitive components to control a number of the components active in the filter circuit to calibrate the filter circuit to the desired frequency." (Emphasis added). Thus, the claimed calibration logic unit is a specific logic unit that generates a specific digital component code to adjust specific capacitive components of the filter circuit.

In contrast to claim 1, Kluge describes a transceiver device 100 that includes a variable gain amplifier and filter section 110, a rectifying section 120, a comparator section 130 coupled between the rectifying section 120 and a latch 140, and a control section 150. (See Kluge at col. 4, line 41 – col. 5, line 3). The focus of Kluge is to provide an automatic gain controller for the transceiver device 100 that "uses a digital topology to achieve an efficient and rapid gain settling so that an output signal of the variable gain section is within a predefined range." (See id. at Abstract).

Because the transceiver device 100 in Kluge is directed to the automatic gain controller, the transceiver device 100 fails to include each and every component of the claimed filter calibration circuit. For example, the latch 140 and the control section 150 in Kluge is not the claimed calibration logic unit. The latch 140 in Kluge merely receives an output of the comparator section 130 and stores a bit pattern that can be used by the control section 150. (See id. at col. 5, lines 30-42). The control section 150 transforms the bit pattern into a digital number representing the currently valid gain excess. (See id. at col. 5, lines 43-46). This digital number is converted into a respective gain setting to which the variable gain section 110 is to be set so as to achieve or approach the required gain setting. (See id. at col. 5, lines 46-48). Thus, the latch 140 and control section 150 in Kluge is used to achieve the required gain setting for the transceiver 100, which describe nothing about selectively controlling the number of active capacitive components in a filter to calibrate the filter circuit to the desired frequency, as recited in claim 1.

Also, the input 103 of the variable gain section 110 in Kluge merely receives a gain setting signal for obtaining the required gain setting as described above. (See id. at col. 4, lines 41-46; col. 5, line 43 – col. 6, line 3). The gain setting signal does not control a number of active capacitive components of any filter in Kluge. Instead, the gain setting signal in Kluge is used by two filters 107 and 108 to provide two gain stages. (See id. at col. 6, lines 15-28; FIGS. 1a and 1b).

> In the embodiment shown in FIG. 1b, the LNA 105, the first filter 107 and the second filter 108 are all adapted to receive a gain setting signal that may correspondingly adjust the gain of the corresponding stage so that the total gain of the variable gain section 110 is defined by the product of the individual gain settings. In this way, the arrangement allows the gain adjustment by switching binary weighted resistors so that the corresponding gain settings of the individual components 105, 107 and 108 leads to an addition in the logarithmic dB domain.

(See id.)

Thus, the gain setting signal in Kluge is used to merely vary the gain of the variable gain section 110 and does not calibrate the filters to a desired frequency, as recited in claim 1.

The addition of Gabara fails to cure the deficiencies of Kluge. Gabara shows a bandpass filter with automatic tuning adjustment. (See Gabara at Abstract). An input data signal with a dominant frequency f_0 is applied to the filter in Gabara. (See id. at Abstract; col. 2, lines 66-67). The filter output signal in Gabara is passed to a peak/power detector, which measures the power magnitude of the signal and passes this magnitude value to a monitoring circuit. (See id at FIG. 1; Abstract; col. 3, lines 9-12). The monitoring circuit in Gabara compares the present power magnitude value to the previously-measured power magnitude, and outputs a tuning signal reflecting this comparison to a finite state machine. (See id. at col. 3, lines 13-17). The finite

state machine in Gabara adjusts the tuning signal until the power of the filter output signal is maximized, which indicates that the filter is tuned to its dominant frequency. (See id. at col. 3, lines 17-19; Abstract). Because the tunable signal in Gabara is used to tune the filter until the power is maximized, Gabara does not generate a comparator output based on a filter output amplitude signal and a reference amplitude signal.

Also, while Gabara describes a tunable filter, the tunable filter in Gabara is a tunable capacitance array. (See id. at col. 2, lines 52-65). A tunable capacitance array is made of electric field tunable dielectric materials that change the capacitance when the electric field of the dielectric materials is changed. Changing the electrical properties of the dielectric materials by applying an analog voltage in Gabara is not same as controlling the number of active capacitive components as recited in claim 1. As described above, claim 1 requires selectively turning on or off one or more of the switches associated with the capacitive components to control a number of the capacitive components active in the filter circuit to calibrate the filter circuit to the desired frequency.

Moreover, the rejection based on the proposed combination amounts to nothing more than an attempt to show that each individual claimed feature was independently known in the prior art. Such lack of common sense reasoning was clearly deemed improper by the Supreme Court in *KSR Int'l Co. v. Teleflex Inc.* (*See, e.g., KSR Intern. Co. v. Teleflex Inc.*, 127 S. Ct. 1727, 1731-1732 and 1741-1742 (2007). Emphasis added.)

> **[A] patent composed of several elements is not proved obvious merely by demonstrating that each of its elements was, independently, known in the prior art**. Although common sense directs one to look with care at a patent application that claims as innovation the combination of two known devices according to their established functions, it can be important to identify a reason that would have prompted a person of ordinary skill in the relevant field to combine the elements in the way the claimed new invention does. This is so because inventions in most, if not all, instances rely upon building blocks long since uncovered, and claimed discoveries almost of necessity will be combinations of what, in some sense, is already known.

See, Id. (emphasis added).

The proposed combination of Kluge and Gabara does not logically come together because the Office attempts to piece together the claimed features based only on the knowledge gleaned from Applicants' disclosure. Although, "[a]ny judgment on obviousness is in a sense necessarily a reconstruction based on hindsight reasoning, but so long as it takes into account ***only knowledge which was within the level of ordinary skill in the art at the time the claimed invention was made and does not include knowledge gleaned only from applicant's disclosure, such a reconstruction is proper***." *In re McLaughlin* 443 F.2d 1392, 1395, 170 USPQ 209, 212 (CCPA 1971); MPEP §2145 (X)(A). (Emphasis Added.) The Supreme Court warned against improper hindsight in *KSR*. (*See, e.g., KSR Intern. Co. v. Teleflex Inc.*, 127 S. Ct. 1727, 1742 (2007). Emphasis added.)

> A factfinder should be aware, of course, of the distortion caused by hindsight bias and must be cautious of arguments reliant upon ex post reasoning. See Graham, 383 U. S., at 36 (warning against a "temptation to read into the prior art the teachings of the invention in issue" and instructing courts to "'guard against slipping into the use of hindsight'" (quoting Monroe Auto Equipment Co. v. Heckethorn Mfg. & Supply Co., 332 F. 2d 406, 412 (CA6 1964))). Rigid preventative rules that deny factfinders recourse to common sense, however, are neither necessary under our case law nor consistent with it.

See, id.

In the present situation, the knowledge within the level of ordinary skill in the art would not have led to the proposed combination, and thus the knowledge was gleaned only from Applicants' disclosure. In fact, the reasoning proffered by the Office defies common sense. Gabara's bandpass filter is entirely irrelevant to Kluge's design. As the Office recognizes, Kluge fails to disclose a filter circuit calibrated to a desired frequency. This is because Kluge is concerned with varying the signal gain for the filter instead of calibrating the filter to a desired frequency. It defies common sense to modify the automatic gain controller in Kluge with the tuning filter in Gabara that maximizes the power because Kluge and Gabara use different factors (gain and power) when tuning or modifying the filter.

For at least these reasons, claim 1 is patentable over the proposed combination of Kluge and Gabara. Claims 20 and 39 recite similar features and are thus allowable for at least the reasons set forth with respect to claim 1 above.

Rejections Under 35 U.S.C. § 103(a)

Claims 1-14, 16-33, 35-38, 55-68, 70-87 and 89-92 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent No. 6,766,150 to Johnson ("Johnson") in view of U.S. Patent No. 5,081,713 to Miyazaki. ("Miyazaki"). While not agreeing with the rejections, claims 1, 20, 55 and 74 have been amended to obviate the rejections.

Claim 1 and its dependent claims

As described above, claim 1 requires "a calibration logic unit, separate from the comparator, operable to receive the comparator output and produce a digital component code corresponding to switches associated with the capacitive components in the filter circuit to be used by the filter circuit in adjusting a combined value of the capacitive components in the filter circuit by selectively turning on or off one or more of the switches associated with the capacitive components to control a number of the capacitive components active in the filter circuit to calibrate the filter circuit to the desired frequency." (Emphasis added).

In contrast to claim 1, Johnson shows a system for tuning a narrowband cavity filter inside an RF transmitter. (See Johnson at Abstract). The system in Johnson includes a filter calibration circuit coupled to the output of the narrowband cavity filter. (See id. at Abstract; col. 6, lines 4-19). Johnson's filter calibration circuit includes a filter calibration controller that stores reference signal levels corresponding to various transmit frequencies in its internal software and compares the level of the narrowband cavity filter output signal with these stored levels. (See id. at col. 8, lines 23-25; col. 9, lines 35-39). The controller in Johnson outputs digital control signals to a digital-to-analog converter to determine whether to maintain, increase, or decrease the filter frequency, and at which rate any change in frequency should occur. (See

id. col. 8, lines 23-32). The digital-to-analog converter in Johnson converts these digital control signals to control voltages for input to the filter. (Col. 8, lines 32-39). Johnson's system uses the analog signal to tune the filter until the measured value of the output signal level reaches a minimum, which indicates that the filter has been properly tuned to the center transmit frequency for the selected channel. (Col. 9, lines 62-65; col. 10, lines 12-14).

As an initial matter, the calibration controller 365 in Johnson cannot be the claimed comparator and the calibration logic unit because claim 1 requires the calibration logic unit to be a separate from the comparator. Also, the calibration controller 365 in Johnson compares the output from analog-to-digital (A/D) converter 360 with control characteristics associated with tunable filter 345. Thus, the calibration controller 365 does not generate an output that is "based on a filter output amplitude signal and a reference amplitude signal", as recited in claim 1. For at least these reasons, Johnson fails to teach or suggest the claimed comparator.

In addition, the calibration controller 365 in Johnson cannot be the claimed calibration logic unit because the calibration controller 365 fails to produce the claimed "digital component code corresponding to switches associated with the capacitive components in the filter circuit to be used by the filter circuit in adjusting a combined value of the capacitive components in the filter circuit by selectively turning on or off one or more of the switches associated with the capacitive components to control a number of the capacitive components active in the filter circuit to calibrate the filter circuit to the desired frequency." In contrast to claim 1, the calibration controller 365 in Johnson "generates and outputs a control signal to change a control voltage to be applied to tunable filter 345 to adjust the output of tunable filter 345 until tunable

filter 345 is centered at the center transmit frequency of TX LO 346." (See Johnson at col. 9, lines 39-43.

The tunable filter 345 in Johnson is similar to the tunable filter described in Gabara that is essentially a tunable capacitance array made of electric field tunable dielectric materials that change the capacitance when the electric field of the dielectric materials is changed. As described above, changing the electrical properties of the dielectric materials by applying an analog voltage is not the same as controlling the number of active capacitive components as recited in claim 1. Because the filter in Johnson is of the tunable type, Johnson must use the D/A 370 to provide an analog control voltage 380 to the tunable filter.

The addition of Miyazaki fails to cure the deficiencies of Johnson. In fact, the Office proposes to add Miyazaki merely to introduce a DC voltage source. In contrast to claim 1, Miyazaki teaches an automatic level control circuit 15 that compensates for a temperature characteristic of a diode placed in a detector 16 and a frequency characteristic of the coupling circuit and the antenna 13. (See Miyazaki at col. 4, lines 60-66).

Miyazaki does not teach or suggest at least the claimed "a comparator operable to generate a comparator output based on a filter output amplitude signal and a reference amplitude signal, the filter output amplitude signal corresponding to an amplitude of an output signal produced by a filter circuit, which comprises capacitive components, that is to be calibrated to a desired frequency; and a calibration logic unit, separate from the comparator, operable to receive the comparator output and produce a digital component code corresponding to switches associated with the capacitive components in the filter circuit to be used by the filter circuit in adjusting a combined value of the capacitive components in the filter circuit by selectively

turning on or off one or more of the switches associated with the capacitive components to control a number of the capacitive components active in the filter circuit to calibrate the filter circuit to the desired frequency." Miyazaki is silent as to these limitations.

For at least these reasons, claim 1 is patentable over the proposed combination of Johnson and Miyazaki. Claims 2-7, 9, 11-12 and 16-19 depend from claim 1 and are patentable for at least the same reasons. Claims 8, 10 and 13-14 have been cancelled.

Claim 3 is also separately allowable for at least the following additional reasons. Claim 3 recites that <u>the filter circuit includes an LC tank circuit</u>. The Office acknowledges that Johnson as modified by Miyazaki fails to teach or suggest this limitation. However, the Office continues to contend, without explanation, that "Official Notice is taken that the teaching is well known in the art. Therefore, the LC tank filter circuit is tuned to the center frequency." The Office has not address the issues raised in the prior response. While the general configuration of an LC tank circuit may be known in the art, the inclusion of such a circuit within any specific design – such as the design of Applicants' invention – is not. It is improper to premise a rejection of a technical design choice on the unsupported assertion that the particular element, considered separately from the invention, is known in the art. *See, e.g., Application of Ahlert*, 424 F.2d 1088, 1091 (C.C.P.A. 1970). Claim 3 is allowable for at least these additional reasons.

Claim 16 is also separately allowable for at least the following additional reasons. Claim 16 recites that the filter calibration circuit is operable to calibrate the filter circuit to the desired frequency automatically when the filter calibration circuit is connected to a power source. The Office cites generally to Fig. 3 and col. 9, lines 34-65 of Johnson as allegedly showing this limitation. However, nothing in the cited portions of Johnson suggests automatically calibrating

the filter circuit to the desired frequency when the filter calibration circuit is connected to a power source. Miyazaki fails to correct for this deficiency. Claim 16 is allowable for at least these additional reasons.

Claim 17 is also separately allowable for at least the following additional reasons. Claim 17 recites that the filter calibration circuit is operable to calibrate the filter circuit to the desired frequency without requiring a reduction in a quality factor of the filter circuit. Again, the Office cites generally to Fig. 3 and col. 9, lines 34-65 of Johnson as allegedly showing this limitation. However, nothing in the cited portions of Johnson suggests calibrating the filter circuit to the desired frequency without requiring a reduction in a quality factor of the filter circuit. Indeed, nowhere does Johnson even refer to the quality factor of the filter circuit. Miyazaki fails to correct for this deficiency. Claim 17 is allowable for at least these additional reasons.

Claim 20 and its dependent claims

Claim 20 is patentable over the proposed combination of Johnson and Miyazaki for at least reasons similar to claim 1. In particular, the proposed combination fails to teach or suggest the claimed "A filter calibration circuit, comprising: comparing means for generating a comparator output based on a filter output amplitude signal and a reference amplitude signal, the filter output amplitude signal corresponding to an amplitude of an output signal produced by a filtering means, which comprises capacitive means, that is to be calibrated to a desired frequency; and code generating means, separate from the comparing means, for receiving the comparator output and producing a digital component code corresponding to switching means associated with the capacitive means to be used by the filtering means in adjusting a combined value of the capacitive component means in the filtering means by selectively turning on or off one or more of the switching means associated with the capacitive means to control a number of the capacitive means active in the filtering means to calibrate the filtering means to the desired frequency." (Emphasis added).

Claims 21-26, 28, 30-31, 35-38 depend from claim 20 and are allowable for at least the same reasons. Claims 27, 29, 32-33 have been cancelled.

Claim 55 and its dependent claims

Claim 55 is patentable over the proposed combination of Johnson and Miyazaki for at least reasons similar to claim 1. In particular, the proposed combination fails to teach or suggest the claimed "A wireless transceiver, comprising: a transmitter operable to transmit a modulated carrier signal, the transmitter including a filter circuit, which comprises capacitive components, operable to filter the modulated carrier signal and a calibration circuit operable to calibrate the

filter circuit to a desired frequency, the calibration circuit including, a comparator operable to generate a comparator output based on a filter output amplitude signal and a reference amplitude signal, the filter output amplitude signal corresponding to an amplitude of an output signal produced by the filter circuit; and <u>a calibration logic unit, separate from the comparator, operable to receive the comparator output and produce a digital component code corresponding to switches associated with the capacitive components in the filter circuit to be used by the filter circuit in adjusting a combined value of the capacitive components in the filter circuit by selectively turning on or off one or more of the switches associated with the capacitive components to control a number of the capacitive components active in the filter circuit to calibrate the filter circuit to the desired frequency</u>." (Emphasis added).

Claims 56-61, 63, 65-66 and 70-73 depend from claim 55 and are patentable for at least the same reasons. Claims 62, 64 and 67-68 have been cancelled.

<u>Claim 74 and its dependent claims</u>

Claim 74 is patentable over the proposed combination for at least reasons similar to claim 1. In particular, the proposed combination fails to teach or suggest the claimed "A wireless transceiver, comprising: transmitting means for transmitting a modulated carrier signal, the transmitting means including a filtering means, which comprises capacitive means for filtering the modulated carrier signal and calibrating means for calibrating the filtering means to a desired frequency, the calibrating means including, comparing means for generating a comparator output based on a filter output amplitude signal and a reference amplitude signal, the filter output amplitude signal corresponding to an amplitude of an output signal produced by the filtering means; and <u>code generating means, separate from the comparing means, for receiving the</u>

comparator output and producing a digital component code corresponding to switching means associated with the capacitive means in the filtering means to be used by the filtering means in adjusting a combined value of the capacitive means in the filtering means, by selectively turning on or off one or more of the switching means associated with the capacitive means to control a number of the capacitive means active in the filtering means to calibrate the filtering means to the desired frequency." (Emphasis added).

Claim 75-80, 82, 84-85 and 89-92 depend from claim 74 and are patentable for at least the same reasons. Claims 81, 83 and 86-88 have been cancelled.

Rejections Under 35 U.S.C. § 103(a) Based on Johnson and Gabara

Claims 39-49 and 51-54 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Johnson in view of Gabara. While not agreeing with the rejections, claim 39 has been amended.

Claim 39 is allowable over the proposed combination of Johnson and Gabara for at least reasons similar to the rejection of claims 1 and 39 based on the proposed combinations of Kluge and Gabara, and rejection of claim 1 based on the proposed combination of Johnson and Miyazaki. In particular, the proposed combination fails to teach or suggest the claimed "A method for calibrating a filter circuit, which comprises capacitive components, the filter circuit receiving an input signal and producing a filtered output signal, the method comprising: generating a comparator output based on a filter output amplitude signal and a reference amplitude signal, the filter output amplitude signal corresponding to an amplitude of the filtered output signal at a desired frequency; generating a digital component code corresponding to

switches associated with the capacitive components in the filter circuit based on the comparator output; and adjusting a combined value of the capacitive components in the filter circuit by selectively turning on or off one or more of the switches associated with the capacitive components to control a number of the capacitive components active in the filter circuit based on the digital component code to calibrate the filter circuit at the desired frequency."

Claims 40, 42, 44, 46-47 (40-49) and 51-54 depend from claim 39, and are allowable for at least the reasons given above with respect to claim 39. Claims 41, 43, 45 and 48-49 have been cancelled.

New Claims 93-97

Claims 93-97 are patentable for at least reasons similar to claims 1, 20, 39, 55 and 74.

Conclusion

By responding in the foregoing remarks only to particular positions taken by the Examiner, Applicants do not acquiesce to other positions that have not been explicitly addressed. Additionally, Applicants' arguments for the patentability of a claim should not be understood as implying that no other reasons for the patentability of that claim exist.

Please apply the RCE fee and any other charges or credits to deposit account 06-1050.

Respectfully submitted,

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